

IN THE SENATE OF THE UNITED STATES.

FEBRUARY 15, 1861.—Ordered to be printed.

Mr. BRAGG submitted the following

REPORT.

The Committee on Claims, to whom was referred the memorial of Alexander Wilson, report:

The memorialist, as represented in his memorial, was duly appointed, in July, 1858, United States attorney for the Territory of Utah. He states, that "he accepted the said office at the request of the government, with the assurance that the compensation would be sufficient to defray all the necessary expenses, and also to afford a reasonable remuneration." He further states, that he found, by experience, "that instead of said office defraying his necessary expenses, it was wholly insufficient; in fact, amounting to no compensation at all." He appears to have held the office about eighteen months, from July, 1858, to the close of the year 1859, and to have received, in fees and emoluments, the sum of \$895 95. His expenses, during said period, as per account stated, amounted to \$2,772 05, being an excess over his receipts of \$1,876 10, which he asks to have reimbursed to him.

There is no evidence in the case other than the affidavit of the memorialist, but, assuming all the facts to be as stated, the committee do not see any grounds upon which the claim can be admitted. Mr. Wilson accepted the appointment with a full knowledge of the compensation allowed by law for the services required, and he does not alledge that that compensation was not fully and promptly paid.

As to the allegation that he accepted the appointment at the request of the government, with the assurance that the compensation would pay the expenses and afford a reasonable remuneration, it is sufficient to say, that any such assurance would have been without authority of law, and could impose no obligation upon the government. The allowance of such a claim would be the introduction of a new and dangerous principle of compensation for public services—especially in regard to a law officer of the government, who must be presumed to have been perfectly aware, when he accepted the service, that the compensation fixed by law was all that he could legally receive under any circumstances.

The committee submit the following resolution:

Resolved, That the prayer of the memorialist ought not to be granted.

